IRA DANIEL TOKAYER, ESQ. (IT-4734) Attorney for Defendant RKO PROPERTIES, LTD. 42 West 38<sup>th</sup> Street, Suite 802 New York, New York 10018 (212) 695-5250

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

NIMKOFF ROSENFELD & SCHECHTER, LLP, : 07 CV 7983

Plaintiff, :

-against-: RULE 7.1 STATEMENT

RKO PROPERTIES, LTD. and FIDELITY :

INVESTMENTS,

Defendants.

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Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, the undersigned attorney of record certifies that defendant RKO PROPERTIES, LTD. has no parent corporation and no publicly held corporation owns 10% or more of its stock.

Dated: New York, New York November 8, 2007

> /s/ IRA DANIEL TOKAYER, ESQ. (IT-4734) Attorney for Defendant RKO PROPERTIES, LTD. 42 West 38<sup>th</sup> Street, Suite 802 New York, New York 10018 (212) 695-5250